

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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 In re: EPHEDRA PRODUCTS LIABILITY : 04 M.D. 1598 (JSR)  
 LITIGATION :  
 : ORDER OF PAYMENT

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 PERTAINS TO ALL CASES

JED S. RAKOFF, U.S.D.J.

In Case Management Order No. 45 ¶ 3, the Court approved payment of \$90,000 to John K. Trotter Esq. for mediation fees, to be disbursed either from a surplus in the Metabolife Trust or from the Plaintiffs' Common Expense Fund held by the Clerk pursuant to Case Management Order No. 7 ¶ 2(a). The Court has been informed by Russ Briggs Esq. on behalf of Plaintiffs' Coordinating Counsel that the surplus in the Trust is insufficient at this time to pay the invoice. NOW, THEREFORE, the Clerk is hereby directed to issue a check for ninety thousand dollars (\$90,000.00) to the order of John K. Trotter and hand it over to a person sent for it by the law firm Brown, Rudnick, Berlack & Israels, LLP ("the Firm") in exchange for a receipt on the Firm's letterhead identifying the check by amount and payee and signed and dated by the person receiving the check. The Clerk shall preserve the receipt and the files of the Fund.

SO ORDERED.

Dated: New York, New York  
 May 12, 2008

  
 JED S. RAKOFF, U.S.D.J.

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